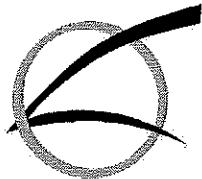


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MEETINGS BY APPOINTMENT ONLY

July 8, 2022

VIA NYSCEF

Hon. Denise Cote, U.S.D.J.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: **Scott Cawthon v. Pan Nuan Nuan**
Case No. 1:22-cv-03019-DLC

Dear Judge Cote:

Our office represents plaintiff Scott Cawthon (“Plaintiff”) in the above-captioned matter. In accordance with Local Civil Rules 7.1(d) and 5.2(b) as well as Your Honor’s individual Practices in Civil Cases at Paragraph 1(E), we hereby submit a request for an adjournment of the initial pre-trial conference, which is currently scheduled for July 14, 2022 at 3:00 pm for the following reasons:

1. On or about April 12, 2022, we caused to be served on the defendant, via electronic mail, which defendant consented to as a means of service of process, file stamped copies of the following:

*The conference is adjourned
sine die. The plaintiff shall
file its motion for entry of
a default by 7/22/22.
Denise Cote
7/11/22*

(a) the complaint with exhibits, (b) the Civil Cover Sheet, (c) the AO form 121 and (d) the request for the Civil Action Summons.

2. On or about April 13, 2022, the Court executed the summons.
3. On or about July 8, 2022, we caused to be served on the defendant the executed summons via electronic mail.
4. Accordingly, plaintiff intends to file the request for default and proof of service in accordance with the rules.
5. This is the first request for an adjournment in this matter.
6. Additionally, due to the default status of the matter, we have not received consent from the defendant to adjourn the hearing nor are we aware of the defendant's availability for rescheduling the hearing, if necessary.

Therefore, it is respectfully submitted that the pre-trial conference should be adjourned indefinitely at this time unless and until the defendant answers the complaint or otherwise appears in this matter. Alternatively, counsel for plaintiff is available on the following dates: August 5, 2022; August 12, 2022 and August 19, 2022. If the Court requires additional availability from counsel, we would be happy to provide the same.

We thank the Court for its time and attention to this matter.

Respectfully,

NISSENBAUM LAW GROUP, LLC

BY: /s/ Steven L. Procaccini, Esq.
Steven L. Procaccini, Esq.